

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with John R Lastova on 09/01/2010.

3. The application has been amended as follows:

Please amend the claims as follows:

Claim 16 (Currently Amended) The DHO node according to claim 1, wherein the ToA is replaced by a Time of Arrival of the Last Frame of a set of frames to be combined and said receive window is calculated as a common receive window for all legs.

Claim 17 (Currently Amended) The DHO node according to claim 12, wherein the relative ToA is replaced by a relative Time of Arrival of the Last Frame of a set of frames to be combined and said receive window is being calculated as a common receive window for all legs.

Claim 18 (Currently Amended). A method for executing a macro diversity functionality in a mobile telecommunication system comprising:

-performing, in a diversity handover node, an uplink combining of Dedicated Channel, DCH, frames, including steps of:

-estimating the size of an adaptive receive window for receiving said DCH frames, wherein the adaptive receive window comprises a starting point, denoted ref, and an end point

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for receiving a next DCH frame or a next set of DCH frames to be combined having a Connection Frame Number  $n$ ,  $CFN_n$ , based on the Time of Arrival, ToA, of a previous frame or a previous set of frames having a  $CFN_{n-1}$ , and

-adjusting the adaptive receive window by changing its end point for a new frame or a new set of frames in accordance with the estimated size.

Claim 36 (Currently Amended) A computer readable storage medium comprising a computer readable program which when executed by a computer within a Diversity Handover node in a mobile telecommunication system, causes the computer execute the steps of claim 18.

***Allowable Subject Matter***

4. Claims 1-34 and 36 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Claims 1-17 are allowable as indicated in the previous office action.

Independent claim 18 has been amended to overcome 101 Rejection as suggested by Examiner. Claim 18 is allowable as indicated in the previous office action.

Claims 19-34 are allowable because they depend on claim 18.

Independent claim 36 has been amended to overcome 101 Rejection as suggested by Examiner. Claim 36 is allowable as indicated in the previous office action.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Q. NGUYEN whose telephone number is (571)272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jinsong Hu can be reached on (571)272-3965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Q Nguyen/  
Primary Examiner, Art Unit 2617